

FEB 11 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GAYLON M. MAJORS,

Petitioner - Appellant,

v.

**JAMES E. TILTON, Acting Secretary,
California Department of Corrections,**

Respondent - Appellee.

No. 07-55548

D.C. No. CV-06-01126-BTM

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Barry T. Moskowitz, District Judge, Presiding

Submitted February 6, 2008 **
Pasadena, California

Before: **KOZINSKI**, Chief Judge, **O'SCANNLAIN** and **W. FLETCHER**,
Circuit Judges.

1. For the reasons given by the district court, the California Court of
Appeal did not unreasonably apply Jackson v. Virginia, 443 U.S. 307, 319 (1979),

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral
argument. See Fed. R. App. P. 34(a)(2).

when it affirmed Majors's conviction. See Juan H. v. Allen, 408 F.3d 1262, 1274–75 (9th Cir. 2005).

2. Because Majors had an opportunity to litigate his Fourth Amendment claim in the state courts, we cannot grant habeas relief on that basis. See Ortiz-Sandoval v. Gomez, 81 F.3d 891, 899 (9th Cir. 1996).

AFFIRMED.